

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

WILLIE BLAIR,)	
Plaintiff,)	
v.)	
CAROLYN COLVIN, DELORES CLARK-)	No. 15-cv-2368-SHL-cgc
WILLIS, REGINALD WELLS, MARY)	
SCOTT, JOHN WESSON and ROSE)	
MARY BUEHLER,)	
Defendants.)	

ORDER ADOPTING REPORT AND RECOMMENDATIONS

Before the Court is the magistrate judge’s Order Granting Leave to Proceed *In Forma Pauperis*, Order Denying Motion for Appointment of Counsel, and Report and Recommendation Pursuant to 28 U.S.C. § 1915, filed June 26, 2015. (ECF No. 5.) In addition to granting Plaintiff Willie Blair’s (“Mr. Blair”) motion seeking leave to proceed *in forma pauperis* and denying his motion for appointment of counsel, the magistrate judge’s report and recommendation recommended dismissing Plaintiff’s cause of action, without prejudice, because he failed to exhaust his administrative remedies, which is a prerequisite to filing an action in the United States District Court for employees of federal agencies.

Pursuant to the Federal Rules of Civil Procedure, “[w]ithin 14 days after being served with a copy of the recommended disposition, a party may serve and file specific written objections to the proposed findings and recommendations.” Fed. R. Civ. P. 72(b)(2). No objections to the magistrate judge’s Report and Recommendation have been filed, and the time for filing objections has expired. See Fed. R. Civ. P. 5(b)(2), 6(d), 72(b)(2). “When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the

record in order to accept the recommendation.” Fed. R. Civ. P. 72(b) advisory committee notes. On clear-error review of the magistrate judge’s Report, the Court hereby ADOPTS it in its entirety.

As a result, all of Mr. Blair’s claims against all of the defendants in this case are hereby dismissed, without prejudice. Plaintiff can refile his action if and when he has received final action on his complaint from the Social Security Administration.

The Court further adopts the magistrate judge’s recommendation to certify, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal in this matter by Plaintiff would not be taken in good faith and Plaintiff may not proceed on appeal *in forma pauperis*.

IT IS SO ORDERED, this 16th day of July, 2015.

s/ Sheryl H. Lipman

SHERYL H. LIPMAN
UNITED STATES DISTRICT JUDGE